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EXAMINER

ROBINSON, GRETA LEE

ART UNIT PAPER NUMBER

2177

DATE MAILED: 12/04/2001

Please find below and/or attached an Office communication concerning this application or proceeding.

AG

Office Action Summary

Application No.
09/189,615

Applicant(s)
Gebauer

Examiner
Greta Robinson

Art Unit
2177



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on Sep 18, 2001

2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) 1-20 is/are pending in the application.

4a) Of the above, claim(s) _____ is/are withdrawn from consideration

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) 1-20 is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claims _____ are subject to restriction and/or election requirement

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

a) ☐ All b) ☐ Some* c) ☐ None of:

- ☐ Certified copies of the priority documents have been received.
- ☐ Certified copies of the priority documents have been received in Application No. _____.
- ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

15) ☐ Notice of References Cited (PTO-892)

18) ☐ Interview Summary (PTO-413) Paper No(s). _____

16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

19) ☐ Notice of Informal Patent Application (PTO-152)

17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____

20) ☐ Other: _____

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Response to Amendment

1. Claims 1-20 are pending in the present application.
2. Claims 1, 6, and 16 have been amended.
3. *Cool Ice User's Guide Release 1.0* and Classic MAPPER User's Guide was cited as prior art in the last office action paper number seven.

Specification

4. The substitute specification filed September 18, 2001 conforms to 37 CFR 1.125(b) it will be entered.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Cool Ice User's Guide Release 1.0* in view of *Classic Mapper User's Guide*.

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With respect to claim 1, *Cool Ice User's Guide* teaches in a data processing environment having a user terminal which generates a service request coupled to a publicly accessible digital communications network and having a data base management system which receives and responds to said service request when available, the improvement comprising:

a server coupled to said terminal via said publically accessible digital communications network and coupled to said data base management system wherein said server includes an administration management system which transfers an unavailability message to said user terminal in response to said service request when said data base management system is unavailable to receive and respond to said service request [see: figure 1-1 The Cool ICE Environment; note page 1-4 section Designing Web Services ; figure 1-2 Cool ICE Components note administration component; see page 1-8 through 1-10 Cool ICE Administration options; also note page 1-15 and figure 1-4 flowchart for requesting a service].

Cool Ice User's Guide teaches the invention substantially as cited above, they teach a data processing environment which integrates multiple disparate, back-end database systems so that stored information can be accessed via the internet. Web services may be designed to return validation and confirmation of requests; also different levels of security may be programmed into the system for access. Although *Cool Ice User's Guide* teaches the invention substantially as cited above, they do not specifically disclose transfer of an unavailability message. *Classic MAPPER User's Guide* teaches transfer of messages that let the user know the status of the system [see page 19-3 and 19-4]. It would have been obvious to one of ordinary skill at the time of the

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invention to have combined the Classic MAPPER User's Guide with the COOL ICE User's Guide because the Guide's show further show how the capability of the database management system.

7. With respect to claims 2-5:

(Claim 2) wherein said state manager includes a repository for storing said unavailability message [page 1-9 Cool ICE Service Repository].

(Claim 3) wherein said publically accessible digital communications network is the world wide web [page 1-2 Cool ICE and the Internet; also note figure 1-1].

(Claim 4) wherein said repository includes space for storage of at least one variable for said availability message [note Cool Ice Service Service Handler error logging feature page 1-6 through 1-7; page 2-16].

(Claim 5) wherein said data base management system is CLASSIC MAPPER [note MAPPER page 1-5].

8. With respect to claim 6:

a. a user terminal which generates a service request;

b. a publically accessible digital communications network coupled to said user terminal;

and

c. A server coupled to said publically accessible digital communications network;

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d. a data base management system responsively coupled to said server which responds to said service request if available; and

e. an administration management system responsively coupled to said data base management system and said server which transfers an unavailability message from said server to said user terminal in response to said service request when said data base management system is not available to indicate unavailability of said data base management system [page 1-4; also note section Access Log page 2-14 discusses providing information about when the system is busy; figures 1-1 and 1-2].

9. With respect to claims 7-10:

(Claim 7) wherein said data base management system has a repository having storage for said unavailability message [page 1-9].

(Claim 8) wherein said repository has storage for a variable to be included in said unavailability message [page 1-6 through 1-7 and page 2-16].

(Claim 9) wherein said publically accessible digital communications network is the world wide web [page 1-2; also note figure 1-1].

(Claim 10) wherein said user terminal is an industry compatible personal computer having a commercially available web browser [note requirements page 1-5 and figure 1-2].

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10. With respect to claim 11:

transmitting a service request ... determining whether said data base management system is currently capable of honoring said service request ... honoring said service request ... transferring an unavailability message to said terminal if said determining step determines that said data base management system is not currently capable of honoring said service request [page 2-14 through 2-15; note section request a service page 1-15; page 1-16 and 1-17].

11. With respect to claims 12-15:

wherein said transferring step further comprises transferring said availability message ... further comprises adding an appropriate variable to said unavailability message ... network further comprises the world wide web ... further comprises CLASSIC MAPPER data base management system [note page 1-4 section Designing Web Services].

12. With respect to claim 16:

means for permitting a user to interact with a digital data base by generating a service request in anticipation of a response ... [note service handler determines whether the user is authorized to access the service page 1-15].

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13. Regarding claims 17-20: claim 17 cites a further limitation about the world wide web this element was addressed in claim 14 [see section 1-4 Classic MAPPER ; also cool ICE is an Internet system based on the world wide web see page 1-3].

Claim 18 recites “storing a predefined unavailability message” this limitation was addressed in claim 7 except for the “predefined” element. In order for the the system to work the messages must by predefined; [see COOL ICE page 2-2].

Claim 19 recites “CLASSIC MAPPER” as the database (this was addressed in claim 5) [see COOL ICE page 1-5 note MAPPER; also note CLASSIC MAPPER User’s Guide].

Claim 20 further recites “a n industry standard personal computer” this is inherent of the system.

Response to Arguments

14. In the response Applicant argued the following: (1) The Examiner states that the reference has no “unavailability message” (see citation for independent claim 1); but yet has a “repository for storing an unavailability message” with respect to dependent claim 2. This concept (of an unavailability message) is argued for each of the independent claims.

In response to argument , the citation states that Cool ICE User’s Guide does not specifically disclose “transfer of an unavailability message”. Classic MAPPER User’s Guide is cited for teaching the transfer of the status of a message [note section *Sending Messages* page 19-3; note ability to send a status message “*If either the MAPPER system or operating system fails*

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*before the run completes successfully, the system automatically reinitiates report procesing when the system becomes available”]. Although availbability is stated, it would be obvious that an unavailability message would also be sent since the reference teaches status of a message. Also note the following citations in COOL ICE the sttus of the message [see page 2-2 *Availability* section category field option; page 2-4 through 2-5 *MessageComm* dialog option; also the concept of requesting a service is a form of messaging].*

(2) The limitations of claims 17-20 have not all been addressed in claims 7-10 as stated by the examiner.

In response the Examiner holds that claim 17 cites a further limitation about the world wide web this element was addressed in claim 14 [see section 1-4 Classic MAPPER ; also cool ICE is an Internet system based on the world wide web see page 1-3].

Claim 18 recites “storing a predefined unavailability message” this limitation was addressed in claim 7 except for the “predefined” element. In order for the the system to work the messages must by predefined; [see COOL ICE page 2-2].

Claim 19 recites “CLASSIC MAPPER” as the database (this was addressed in claim 5) [see COOL ICE page 1-5 note MAPPER; also note CLASSIC MAPPER User’s Guide].

Claim 20 further recites “a n industry standard personal computer” this is inherent of the system.

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15. Applicant's arguments filed September 18, 2001 have been fully considered but they are not persuasive.

Conclusion

16. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

17. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Greta Robinson whose telephone number is (703)308-7565. The examiner can normally be reached Monday through Friday from 9:30 AM to 6:00 PM.

If any attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E. Breene, can be reached at (703)305-9790.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703)746-7239, (for formal communications)

Or:

(703)746-5657, (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand delivered responses should be brought to Crystal Park II, 2021 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703)305-9600.

Greta Robinson



November 28, 2001



JEAN R. HOMERE
PRIMARY EXAMINER